

Legislature, 1931, and declaring an emergency,"

Have carefully compared same, and find it correctly enrolled.

COX of Lamar, Chairman.

### EIGHTH DAY.

(Monday, September 21, 1931.)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called and the following members were present:

Mr. Speaker.	Hatchitt.
Adams of Jasper.	Hefley.
Adkins.	Herzik.
Akin.	Hill.
Alsup.	Hines.
Anderson.	Holder.
Baker.	Holland.
Barron.	Hoskins.
Beck.	Howsley.
Bounds.	Hubbard.
Brice.	Hughes.
Brooks.	Jackson.
Bryant.	Johnson.
Burns of Walker.	of Dallam.
Burns	Johnson
of McCulloch.	of Dimmit.
Carpenter.	Johnson of Morris.
Caven.	Jones of Shelby.
Coltrin.	Jones of Atascosa.
Cox of Lamar.	Justiss.
Cox of Limestone.	Kennedy.
Cunningham.	Laird.
Dale.	Lasseter.
DeWolfe.	Lee.
Dodd.	Lemens.
Donnell.	Leonard.
Dowell.	Lilley.
Dwyer.	Lockhart.
Elliott.	Long.
Engelhard.	McCombs.
Farmer.	McDougald.
Farrar.	McGill.
Ferguson.	McGregor.
Finn.	Magee.
Fisher.	Mehl.
Forbes.	Metcalfe.
Ford.	Moffett.
Fuchs.	Moore.
Gilbert.	Morse.
Giles.	Munson.
Goodman.	Murphy.
Graves.	Nicholson.
Greathouse.	Olsen.
Grogan.	O'Quinn.
Hanson.	Petsch.
Hardy.	Ramsey.
Harman.	Ratliff.
Harrison	Ray.
of Waller.	Reader.

Richardson.	Terrell of Val Verde.
Rountree.	Towery.
Sanders.	Turner.
Satterwhite.	Van Zandt.
Scott.	Vaughan.
Shelton.	Veatch.
Sherrill.	Wagstaff.
Smith of Bastrop.	Walker.
Smith of Wood.	Weinert.
Sparkman.	West of Coryell.
Stephens.	West of Cameron.
Steward.	Westbrook.
Strong.	Wiggs.
Sullivan.	Wyatt.
Tarwater.	Young.

### Absent.

Davis.	Patterson.
Dunlap.	Pope.
Harrison	Rogers.
of El Paso.	Terrell
Keller.	of Cherokee.
Martin.	

### Absent—Excused.

Adams of Harris.	Daniel.
Adamson.	Duvall.
Albritton.	Holloway.
Bedford.	Kayton.
Bond.	Mathis.
Boyd.	Savage.
Bradley.	Stevenson.
Claunch.	Warwick.
Coombes.	

A quorum was announced present.

Prayer was offered by Dr. B. H. Fisher, pastor of the First Methodist Church of Austin, Texas.

### LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Bond for today and the balance of the week, on motion of Mr. Metcalfe.

Mr. Duvall for today, on motion of Mr. Brooks.

Mr. Coombes for today, on motion of Mr. Ferguson.

Mr. Savage for today, on motion of Mr. Brice.

Mr. Adams of Harris and Mr. Mathis for today, on motion of Mr. McDougald.

Mr. Daniel for today, on motion of Mr. Johnson of Dallam.

Mr. Stevenson for today, on motion of Mr. Burns of Walker.

Mr. Bedford for today and indefinitely, on motion of Mrs. Moore.

Mr. Claunch for today and last Saturday, on motion of Mr. Grogan.

Mr. Anderson for last Saturday, on motion of Mr. DeWolfe.

Mr. Kayton for today, on motion of Mr. Justiss.

Mr. Holloway for today, on motion of Mr. Johnson of Morris.

The following members were granted leaves of absence on account of illness:

Mr. Boyd for today, on motion of Mr. Adams of Jasper.

Mr. Adamson for today and tomorrow on account of a death in his family, on motion of Mr. Van Zandt.

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mrs. Strong:

H. B. No. 58, A bill to be entitled "An Act to amend Article 955, of the Revised Criminal Statutes of Texas of 1925, as amended by House bill No. 406, Chapter 257, General and Special Laws of the Regular Session of the Forty-first Legislature; and further amended by House bill No. 179, Chapter 304, of the Regular Session of the Forty-second Legislature, prohibiting the sale of fish taken from fresh water streams of certain named counties and also providing means and methods of taking and possessing fish from fresh waters of said counties by omitting Anderson county, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. West of Cameron:

H. B. No. 59, A bill to be entitled "An Act to amend Article 1667, of the Revised Civil Statutes of Texas for 1925, so that the provisions of said article shall hereafter extend to all counties containing a population of seventy-five thousand or more, as shown by the preceding Federal census, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Petsch, and others:

H. B. No. 60, A bill to be entitled "An Act amending Chapter 237 of

the General Laws as passed by the Fortieth Legislature of Texas at its Regular Session, and fixing the salaries of the judges of the Supreme Court, of the Court of Criminal Appeals, of the Commissions of Appeals, judges of the Court of Civil Appeals, of the judges of the district courts; repealing all laws in conflict, and declaring an emergency."

Referred to Committee of the Whole House.

By Mr. Hubbard, Mr. DeWolfe, Mr. Petsch, Mr. Howsley, Mr. Burns of McCulloch, Mr. Graves, and Mr. Veatch:

H. B. No. 61, A bill to be entitled "An Act amending Senate bill No. 17, Chapter 95, Acts of the Regular Session of the Forty-second Legislature by readjusting and reducing appropriations with relation to the payment of the salaries of judges, and the support and maintenance of the judicial department of the State government for the two-year period, beginning September 1, 1931, and ending August 31, 1933, and declaring an emergency."

Referred to Committee of the Whole House.

By Mr. Howsley, Mr. Petsch, Mr. Laird, and Mr. DeWolfe:

H. B. No. 62, A bill to be entitled "An Act establishing, promulgating, and fixing the salaries of public officers, deputies, judges, clerks, and employes and assistants in the employ of the State government, and various departments thereof; declaring the policy of the State, and declaring an emergency."

Referred to Committee of the Whole House.

By Mr. Graves, Mr. Metcalfe, Mr. Laird, Mr. Petsch, and Mr. Veatch:

H. B. No. 63, A bill to be entitled "An Act amending Senate bill No. 259, Chapter 286, Acts of the Regular Session of the Forty-second Legislature, the same being an act making appropriation for the support and maintenance of the State government for the two-year period beginning September 1, 1931, and ending August 31, 1933; and for other purposes; and prescribing certain regulations and restrictions in respect thereto, and declaring an emergency."

Referred to Committee of the Whole House.

By Mr. Burns of McCulloch and Mr. Veatch:

H. B. No. 64, A bill to be entitled "An Act amending Senate bill No. 246, Chapter 285, by readjusting, reducing and reapportioning appropriations to pay the salaries of officers and employes of certain eleemosynary institutions of the State and other expense of maintaining and conducting them for the two fiscal years, beginning September 1, 1931, and ending August 31, 1933, as follows, to-wit: etc., and declaring an emergency."

Referred to Committee of the Whole House.

By Mr. Howsley and Mr. Sherrill:

H. B. No. 65, A bill to be entitled "An Act amending House bill No. 508, Chapter 284, Acts of the Regular Session of the Forty-second Legislature, by readjusting and reducing appropriations with relation to the payment of the salaries of officers and employes of certain educational institutions and other expenses of maintaining and conducting them, etc., and declaring an emergency."

Referred to Committee of the Whole House.

By Mr. Carpenter:

H. B. No. 66, A bill to be entitled "An Act to declare a closed season on the killing of prairie chickens in Brazoria and Matagorda counties for a period of five years, and declaring an emergency."

Referred to Committee on Game and Fisheries.

#### EXPRESSING APPRECIATION TO MEMBERS OF THE HOUSE.

The following communications were ordered printed in the Journal:

Yorktown, Texas, September 9, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives, and members of the Forty-second Legislature:

For some reason the resolution passed by the House was not forwarded to me. Received the same last night, the 18th, therefore have been delayed in writing an acknowledgment of my appreciation and thanks to the Legislature for its kind resolution and expressions offered in flowers by your body in sympathy with me in my illness, that should

have reached me several days ago. No offerings can more clearly portray to anyone the real feeling of the heart than through the offering of flowers.

Please express to the membership for me my greatest appreciation for their kindness.

I will not be able to meet with you at any time during this session from present indications, but my very best wishes are with you all and may the richest blessings of an all-wise Providence rest with you and the members of the Forty-second Legislature, for I feel like and believe that you are all my friends. Again, accept my sincere thanks as an absent member whose best wishes are always with you. I remain, as ever,

Your sincere friend,

J. C. ALBRITTON,

By Mrs. J. C. Albritton, Jr.

To the Honorable House of Representatives, Austin, Texas:

As the hour approaches for me to resume hospitalization at Fort Sam Houston, which I trust within three weeks more will restore me to the full vigor of health, I want to take this opportunity to express the deep appreciation of Mrs. Bradley and myself for the kind resolution passed by the House during the last extraordinary session. We want each individual member and the House as a whole to know how much the remembrances meant to us. The visit of your committee, as well as the calls on the part of a number of members individually, gave me courage and strength when I was most in need of them. Especially the friendship and sympathy of the Hon. A. P. Johnson, of Carrizo Springs, left no stone unturned in seeking to help me.

It is with regret that I leave Austin today. However, while I have been absent I find that my major legislative duties have been met as fully as though I were present. This has been due largely to the help of other members, officers, and employes of the House. At another session I hope to be with you to help complete legislation started but not consummated only because public opinion must make itself known a little more definitely. Until then, though confined to the hospital, in

spirit I am with you in almost everything you may do—including the ignoring of the little Governor of a great sister State adjoining ours on the east.

Sincerely yours,  
ROLLAND BRADLEY.

#### MEMORIALIZING CONGRESS TO ENACT CERTAIN LAW.

Mr. Farmer offered the following resolution:

Whereas, The country is in a very deplorable condition financially, and millions of our fellow citizens are unemployed, and have not the opportunity to enter into employment in any gainful trade, whereby they may obtain the mere means of existence; and

Whereas, Our Federal government has unitized in it the credit of all the States, and under the Constitution has the sole power to coin money and issue currency; and

Whereas, The great State of Texas with her six million population is entitled to the enjoyment of a part of this credit, and has within her limits thousands of unemployed, who are now suffering and will continue to suffer for the necessities of life; and

Whereas, The currency of this country has been monopolized by the national banks under a Federal law, and it is difficult to obtain money without paying high interest; and

Whereas, The State of Texas and all other sovereign States should enjoy the use of the credit of the Federal government for great necessary public improvements from which revenue may be obtained to repay the loan; and

Whereas, There is still crying need for many public improvements to the end that the unemployed may be given work, and especially that the people may have the beneficial enjoyment of additional improvements in the way of more and better highways and bridges; and

Whereas, The employment of the idle will place purchasing power in their hands, and there will then be a salutary demand for the products of stock raising, agriculture, and our industries; and

Whereas, It is not necessary that the sovereign States should have to bear the burden of paying interest for money on their own credit; therefore, be it

Resolved by the House of Representatives of the State of Texas, That we do hereby memorialize the Congress of the United States of America to enact speedily a law, whereby the different States may have the opportunity to borrow from the Federal government, based on the bonds of each State, which said bonds shall not bear interest, money for the building of roads and bridges within their territory to the end that thousands of men may be given employment. And be it further

Resolved, That we petition the Congress to provide that this money may be paid back one-thirtieth (1/30) each year for a period of thirty years, to be paid out of the gasoline tax. We further show to the Congress of the United States that by this method we will save an enormous amount of interest, and give employment to thousands of idle men that is much needed, and obtain speedily these public improvements.

And the Chief Clerk of the House of Representatives is hereby instructed to send a certified copy of this memorial to each of the United States Senators and Congressmen from the State of Texas, one to the President of the United States, one to the Vice-President, and one to the Speaker of the United States House of Representatives.

The resolution was read second time.

Mr. Satterwhite moved that further consideration of the resolution be postponed until tomorrow.

Mr. Kennedy raised a point of order on further consideration of the resolution at this time, on the ground that the time for consideration of resolutions has expired.

The Speaker sustained the point of order.

#### MOTION TO SUSPEND CERTAIN RULES.

Mr. Holder moved that the House rule which relates to the consideration of resolutions be suspended at this time for the purpose of considering certain resolutions.

The motion was lost.

Mr. Beck moved that the House rule which limits the time for the consideration of resolutions be suspended at this time for the purpose

of considering House concurrent resolution No. 17.

The motion was lost.

Mr. Holder moved that the House rule which relates to the consideration of resolutions be suspended for the purpose of taking up and considering at this time House concurrent resolution No. 14.

The motion was lost.

#### BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

H. B. No. 19, "An Act repealing Subdivision four (4) of Article 7047 of the Revised Statutes of 1925 as amended by Chapter 212, Acts of the Regular Session of the Forty-second Legislature, levying an occupation tax on peddlers, and declaring an emergency."

#### HOUSE BILL NO. 54 ON FINAL PASSAGE.

The Speaker laid before the House, as a special order for the hour, on its final passage,

H. B. No. 54, A bill to be entitled "An Act to amend Article 7043 of the Revised Civil Statutes of the State of Texas, 1925, Acts of the First Called Session, Thirtieth Legislature, page 464, relating to ascertaining tax rate, and declaring an emergency."

The bill having heretofore been read third time, with amendment by Mr. Farmer pending.

Mr. DeWolfe moved that further consideration of the bill be postponed until 10 o'clock a. m., next Wednesday.

Mr. Johnson of Morris moved the previous question on the pending amendment, motion to postpone, and the bill, and the main question was ordered.

Mr. Howsley moved to reconsider the vote by which the previous question was ordered.

The motion to reconsider was lost.

Question then recurring on the motion to postpone the bill until 10 o'clock a. m., next Wednesday, it was lost by the following vote (not receiving the necessary two-thirds vote):

#### Yeas—69.

Adams of Jasper.	Hefley.
Adkins.	Herzlik.
Akin.	Hill.
Baker.	Holloway.
Barron.	Hoskins.
Bounds.	Jackson.
Brice.	Justiss.
Brooks.	Laird.
Burns	Lasseter.
of McCulloch.	Leonard.
Carpenter.	Lockhart.
Cox of Lamar.	McGregor.
Cox of Limestone.	McGill.
Cunningham.	Morse.
Dale.	Munson.
DeWolfe.	Petsch.
Dodd.	Richardson.
Donnell.	Satterwhite.
Dwyer.	Scott.
Elliott.	Shelton.
Engelhard.	Sherrill.
Farmer.	Smith of Bastrop.
Ferguson.	Stephens.
Fisher.	Strong.
Ford.	Sullivan.
Fuchs.	Tarwater.
Giles.	Terrell
Goodman.	of Val Verde.
Graves.	Towery.
Greathouse.	Turner.
Hanson.	Veatch.
Hardy.	West of Coryell.
Harman.	West of Cameron.
Harrison	Westbrook.
of Waller.	Wiggs.
Hatchitt.	Wyatt.

#### Nays—46.

Alsup.	Lilley.
Bryant.	Magee.
Burns of Walker.	McCombs.
Coltrin.	McDougald.
Farrar.	Mehl.
Finn.	Metcalfe.
Forbes.	Moffett.
Gilbert.	Moore.
Grogan.	Murphy.
Hines.	Nicholson.
Holder.	O'Quinn.
Holland.	Ramsey.
Hubbard.	Ratliff.
Hughes.	Ray.
Jones of Shelby.	Reader.
Jones of Atascosa.	Sanders.
Johnson	Smith of Wood.
of Dallam.	Sparkman.
Johnson	Steward.
of Dimmit.	Vaughan.
Johnson of Morris.	Wagstaff.
Kennedy.	Walker.
Lee.	Weinert.
Lemens.	Young.

#### Absent.

Anderson.	Beck.
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Caven.	Olsen.
Davis.	Patterson.
Dowell.	Pope.
Dunlap.	Rogers.
Harrison	Rountree.
of El Paso.	Terrell
Keller.	of Cherokee.
Long.	Van Zandt.
Martin.	

## Absent—Excused.

Adams of Harris.	Daniel.
Adamson.	Duvall.
Albritton.	Howsley.
Bedford.	Kayton.
Bond.	Mathis.
Boyd.	Savage.
Bradley.	Stevenson.
Claunch.	Warwick.
Coombes.	

Question then recurring on the amendment by Mr. Farmer, it was adopted.

Mr. Ray offered the following amendment to the bill:

Amend House bill No. 54 by inserting after the word "year," line 1, page 2, the following: "And other revenues anticipated from sulphur, cigarettes, cement, and all sources other than ad valorem taxes," and by striking out after the word, "property," line 12, page 2, down to and including the word "property" in line 15, page 2.

Signed—Shelton, Young, Akin, Justiss, Ray, Farmer, Dale, Cox of Lamar, Brice, Bounds, Baker, Coltrin, Alsup, Giles, Van Zandt, Sullivant, Carpenter, Gilbert, Laird, Fuchs, Dodd.

The amendment was adopted.

Mr. Barron offered the following amendment to the bill:

Amend the substitute amendment to House bill No. 54 by striking out the words and figures "sixty-nine (69) cents" wherever they appear in the Sanders substitute amendment, and substitute in lieu thereof the words and figures "sixty (60) cents."

BARRON,  
WEINERT,  
FARMER.

Mr. Harman raised a point of order on further consideration of the amendment, on the ground that the amendment seeks to strike out portions of the bill which have heretofore been taken out.

The Speaker sustained the point of order.

Mr. DeWolfe raised a point of order on further consideration of the bill, on the ground that the passage of the bill is ineffective, since the amendment by Mr. Ray, which was adopted by the House, makes the bill null and void.

The Speaker overruled the point of order.

House bill No. 54 was then passed by the following vote:

## Yeas—73.

Adkins.	Lilley.
Akin.	McDougald.
Alsup.	Magee.
Barron.	Mehl.
Bryant.	Metcalfe.
Burns of Walker.	Moffett.
Burns	Munson.
of McCulloch.	Murphy.
Coltrin.	Olsen.
Cox of Limestone.	O'Quinn.
Dwyer.	Petsch.
Elliott.	Ramsey.
Farmer.	Ratliff.
Farrar.	Ray.
Finn.	Reader.
Forbes.	Richardson.
Gilbert.	Rountree.
Hatchitt.	Sanders.
Herzik.	Satterwhite.
Hines.	Sherrill.
Holder.	Smith of Bastrop.
Holland.	Smith of Wood.
Hoskins.	Sparkman.
Howsley.	Stephens.
Hubbard.	Steward.
Hughes.	Strong.
Johnson	Sullivant.
of Dallam.	Tarwater.
Johnson	Turner.
of Dimmit.	Vaughan.
Johnson of Morris.	Veatch.
Jones of Shelby.	Wagstaff.
Jones of Atascosa.	Walker.
Justiss.	Weinert.
Kennedy.	West of Coryell.
Laird.	West of Cameron.
Lee.	Wiggs.
Lemens.	Young.

## Nays—43.

Adams of Jasper.	Dale.
Anderson.	DeWolfe.
Baker.	Dodd.
Bounds.	Donnell.
Brice.	Dowell.
Brooks.	Ferguson.
Carpenter.	Fisher.
Cox of Lamar.	Ford.
Cunningham.	Fuchs.

Giles.	Lockhart.
Graves.	McGill.
Greathouse.	McGregor.
Grogan.	Moore.
Hanson.	Morse.
Hardy.	Nicholson.
Harman.	Scott.
Harrison	Shelton.
of Waller.	Terrell
Hefley.	of Val Verde.
Hill.	Towery.
Jackson.	Westbrook.
Lasseter.	Wyatt.
Leonard.	

## Absent.

Beck.	Long.
Caven.	McCombs.
Davis.	Martin.
Dunlap.	Patterson.
Engelhard.	Pope.
Goodman.	Rogers.
Harrison	Terrell
of El Paso.	of Cherokee.
Keller.	Van Zandt.

## Absent—Excused.

Adams of Harris.	Daniel.
Adamson.	Duvall.
Albritton.	Holloway.
Bedford.	Kayton.
Bond.	Mathis.
Boyd.	Savage.
Bradley.	Stevenson.
Claunch.	Warwick.
Coombes.	

## Reason for Vote.

I voted "no" on House bill No. 54 because it was hoped that if it failed the Governor would submit the appropriation bill at this special session. Repruning of the appropriation bill would effect the greatest economy for the State taxpayers. State obligations must be paid sooner or later. Are we postponing the inevitable pay day?

DOWELL.

## SPECIAL ORDER SET.

On motion of Mr. Olsen, the conference committee report on House bill No. 7 was set as a special order for 2 o'clock p. m., today.

## SENATE BILL NO. 22 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 22, A bill to be entitled "An Act to amend Section 28, Chap-

ter 16, of the General Laws passed by the Thirty-ninth Legislature, at its First Called Session, by adding thereto two new sections, known as Section 16a and Section 16b; providing that where any road district includes within its limits portion of a previously created road district, subdivision or precinct, having road bond debts outstanding, the newly created road district may issue bonds for the purchase of roads within the previously created districts, subdivision or precinct; provided, that such bonds shall be authorized and issued in the form and manner prescribed by General Law; providing that nothing in this act shall affect or impair any bond debts of previously created road districts, subdivisions or precincts, portions of which may be included within the subsequently created road district, but that such indebtedness shall remain chargeable against the territory voting the same; providing that where a two-thirds majority of the qualified taxpayers and voters of any road district embracing portions of any previously created road district, subdivision or precinct, heretofore created, voting on the proposition, have voted in favor of the issuance of bonds for the purchase of roads within the road district, subdivision or precinct, portions of which were and are included within the new district, and also, voting on the proposition of the further construction of roads within the new district and the levy of taxes therefor, and such bonds have been approved by the Attorney General and registered by the State Comptroller, each such election and all acts and proceedings in connection therewith by the commissioners court, and all such bonds and taxes, are validated and declared to be the legal and binding obligations of such districts, according to their terms, etc., and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—108.

Adams of Jasper.	Brooks.
Adkins.	Bryant.
Akin.	Burns of Walker.
Alsup.	Burns
Anderson.	of McCulloch.
Baker.	Carpenter.
Barron.	Coltrin.
Beck.	Cox of Lamar.
Bounds.	Cox of Limestone.

Dale.	Lilley.
DeWolfe.	Lockhart.
Dodd.	McDougald.
Dowell.	McGill.
Dwyer.	McGregor.
Elliott.	Magee.
Engelhard.	Mehl.
Farmer.	Metcalfe.
Farrar.	Moffett.
Ferguson.	Moore.
Finn.	Morse.
Fisher.	Munson.
Ford.	Murphy.
Fuchs.	Nicholson.
Giles.	Olsen.
Goodman.	O'Quinn.
Greathouse.	Petsch.
Grogan.	Ratliff.
Hanson.	Ray.
Hardy.	Reader.
Harman.	Richardson.
Harrison	Rountree.
of Waller.	Sanders.
Hatchitt.	Satterwhite.
Hefley.	Shelton.
Herzik.	Sherrill.
Hill.	Smith of Bastrop.
Hines.	Smith of Wood.
Holder.	Sparkman.
Holland.	Stephens.
Hoskins.	Steward.
Howsley.	Strong.
Hubbard.	Sullivant.
Hughes.	Tarwater.
Jackson.	Terrell
Johnson	of Val Verde.
of Dallam.	Turner.
Johnson of Morris.	Vaughan.
Jones of Shelby.	Veatch.
Jones of Atascosa.	Wagstaff.
Justiss.	Walker.
Kennedy.	Weinert.
Laird.	West of Coryell.
Lasseter.	West of Cameron.
Lee.	Westbrook.
Lemens.	Wyatt.
Leonard.	Young.

## Absent.

Brice.	Long.
Caven.	McCombs.
Cunningham.	Martin.
Davis.	Patterson.
Donnell.	Pope.
Dunlap.	Ramsey.
Forbes.	Rogers.
Gilbert.	Scott.
Graves.	Terrell
Harrison	of Cherokee.
of El Paso.	Towery.
Johnson	Van Zandt.
of Dimmit.	Wiggs.
Keller.	

## Absent—Excused.

Adams of Harris. Adamson.

Albritton.	Duvall.
Bedford.	Holloway.
Bond.	Kayton.
Boyd.	Mathis.
Bradley.	Savage.
Claunch.	Stevenson.
Coombes.	Warwick.
Daniel.	

HOUSE BILL NO. 29 ON PASSAGE  
TO ENGROSSMENT.

The Speaker laid before the House, as pending business, for consideration at this time,

H. B. No. 29, A bill to be entitled "An Act requiring that all ginner, cotton yard operators, and public warehousemen as defined by the laws of this State, shall upon the request of the owner of any cotton held or possessed by such ginner, cotton yard operators or public warehousemen, draw samples of said cotton and send same to the State Department of Agriculture for classification; authorizing the Commissioner of Agriculture to employ public cotton classers licensed as required by law; authorizing the Commissioner of Agriculture to issue certificates showing grade and staple of samples of cotton and to prescribe such forms of reports and records and to do such other things as he may deem proper for carrying out the purposes of this law; providing for co-operation with the United States Department of Agriculture and the A. and M. College; appropriating fifty thousand dollars (\$50,000); providing penalties, and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. Terrell of Cherokee, pending.

Mr. Moffett offered the following substitute for the amendment by Mr. Terrell of Cherokee:

Amend House bill No. 29 by substituting "\$25,000," for "\$50,000."

MOFFETT,  
SANDERS.

Question—Shall the substitute amendment be adopted?

HOUSE BILL NO. 35 WITH  
SENATE AMENDMENTS.

Mr. Beck called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 35, A bill to be entitled



"An Act to amend Subdivision (b) of Section 3, of House bill No. 239, enacted by the Forty-second Legislature of Texas, Regular Session, extending the time for the holding of the election provided for therein and providing the same may be held at any time prior to December 31, 1935, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Beck, the House concurred in the Senate amendments by the following vote:

Yeas—100.

Mr. Speaker.	Johnson
Adams of Jasper.	of Dimmit.
Adamson.	Johnson of Morris.
Adkins.	Jones of Shelby.
Akin.	Jones of Atascosa.
Anderson.	Justiss.
Baker.	Kennedy.
Beck.	Laird.
Bounds.	Lasseter.
Brooks.	Lee.
Bryant.	Lemens.
Carpenter.	Leonard.
Caven.	Lilley.
Coltrin.	Lockhart.
Cox of Lamar.	Long.
Cox of Limestone.	McGill.
Dale.	Magee.
Dodd.	Metcalfe.
Donnell.	Moffett.
Dowell.	Moore.
Dwyer.	Morse.
Elliott.	Munson.
Engelhard.	Murphy.
Farmer.	Nicholson.
Farrar.	Olsen.
Ferguson.	O'Quinn.
Fisher.	Ramsey.
Forbes.	Ratliff.
Ford.	Ray.
Fuchs.	Richardson.
Giles.	Rountree.
Goodman.	Sanders.
Greathouse.	Shelton.
Grogan.	Sherrill.
Hanson.	Smith of Bastrop.
Harman.	Smith of Wood.
Harrison	Sparkman.
of Waller.	Stephens.
Hatchitt.	Steward.
Hefley.	Strong.
Herzik.	Sullivant.
Hill.	Tarwater.
Hines.	Terrell
Hoskins.	of Val Verde.
Hubbard.	Turner.
Hughes.	Vaughan.
Jackson.	Veatch.
Johnson	Wagstaff.
of Dallam.	

Walker.	Westbrook.
Weinert.	Wiggs.
West of Coryell.	Wyatt.
West of Cameron.	Young.

Present—Not Voting.

Brice.

Absent.

Alsup.	Keller.
Barron.	McCombs.
Burns of Walker.	McDougald.
Burns	McGregor.
of McCulloch.	Martin.
Cunningham.	Mehl.
Davis.	Patterson.
DeWolfe.	Petsch.
Dunlap.	Pope.
Finn.	Reader.
Gilbert.	Rogers.
Graves.	Satterwhite.
Hardy.	Scott.
Harrison	Terrell
of El Paso.	of Cherokee.
Holder.	Towery.
Holland.	Van Zandt.
Howsley.	

Absent—Excused.

Adams of Harris.	Daniel.
Albritton.	Duvall.
Bedford.	Holloway.
Bond.	Kayton.
Boyd.	Mathis.
Bradley.	Savage.
Claunch.	Stevenson.
Coombes.	Warwick.

RECESS.

On motion of Mr. Sanders, the House at 12 o'clock m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

BILL ORDERED NOT PRINTED.

On motion of Mrs. Strong, House bill No. 58 was ordered not printed.

HOUSE BILL NO. 29 ON PASSAGE TO ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 29, relative to the classification of cotton, the bill having heretofore been read second time,

with amendment by Mr. Terrell of Cherokee and substitute amendment by Mr. Moffett for the amendment by Mr. Terrell of Cherokee pending.

Mr. Moffett moved the previous question on the pending amendments, and the main question was ordered.

Question first recurring on the substitute amendment of Mr. Moffett, it was adopted.

Question recurring on the amendment as substituted, it was lost by the following vote:

## Yeas—52.

Adams of Jasper.	Johnson of Morris.
Adkins.	Justiss.
Beck.	Lilley.
Burns of Walker.	McGill.
Carpenter.	Metcalf.
Cox of Limestone.	Moffett.
Dodd.	Munson.
Donnell.	Murphy.
Dwyer.	Nicholson.
Finn.	Olsen.
Forbes.	O'Quinn.
Ford.	Petsch.
Fuchs.	Ratliff.
Giles.	Sanders.
Goodman.	Shelton.
Graves.	Sherrill.
Grogan.	Smith of Wood.
Harman.	Sparkman.
Hatchitt.	Steward.
Hines.	Sullivant.
Holder.	Turner.
Howsley.	Vaughan.
Hubbard.	Wagstaff.
Hughes.	Weinert.
Johnson	West of Coryell.
of Dallam.	Westbrook.
Johnson of Dimmit.	

## Nays—56.

Akin.	Greathouse.
Alsup.	Hanson.
Anderson.	Hefley.
Baker.	Herzik.
Barron.	Hill.
Bounds.	Holland.
Brice.	Hoskins.
Brooks.	Jackson.
Bryant.	Jones of Atascosa.
Burns	Kennedy.
of McCulloch.	Laird.
Coltrin.	Lee.
Cox of Lamar.	Lemens.
Cunningham.	Leonard.
Dale.	Lockhart.
Dowell.	McDougald.
Elliott.	McGregor.
Farmer.	Magee.
Farrar.	Mehl.
Gilbert.	Moore.

Morse.	Strong.
Ramsey.	Tarwater.
Ray.	Towery.
Reader.	Veatch.
Richardson.	Walker.
Scott.	Wiggs.
Smith of Bastrop.	Wyatt.
Stephens.	Young.
Stevenson.	

## Present—Not Voting.

Engelhard.

## Absent.

Caven.	Long.
Davis.	McCombs.
DeWolfe.	Martin.
Dunlap.	Patterson.
Ferguson.	Pope.
Fisher.	Rogers.
Hardy.	Rountree.
Harrison	Satterwhite.
of El Paso.	Terrell
Harrison	of Cherokee.
of Waller.	Terrell
Jones of Shelby.	of Val Verde.
Keller.	Van Zandt.
Lasseter.	West of Cameron.

## Absent—Excused.

Adams of Harris.	Coombes.
Adamson.	Daniel.
Albritton.	Duvall.
Bedford.	Holloway.
Bond.	Kayton.
Boyd.	Mathis.
Bradley.	Savage.
Claunch.	Warwick.

Mr. Cox of Lamar offered the following amendment to the bill:

Amend House bill No. 29 by striking out the enacting clause.

The amendment was lost.

Mr. Kennedy offered the following amendment to the bill:

Amend House bill No. 29 on page 2, line 30, by striking out the words and figures "twenty-five (25)" and substituting the words and figures "fifteen (15)."

The amendment was adopted.

Mr. Sanders offered the following amendments to the bill:

## (1)

Amend House bill No. 29, Section 2, by inserting after the word "the" at the beginning of line 5 of said section, and before the word "owner," the word "legal."

(2)

Amend House bill No. 29, Section 4, line 4, by inserting between the words "the" and "owner," the word "legal."

The amendments were severally adopted.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 29 then failed to pass to engrossment by the following vote:

Yeas—45.

Adams of Jasper.	Jones of Shelby.
Adkins.	Justiss.
Carpenter.	Lilley.
Caven.	Long.
Cox of Limestone.	McGill.
Dodd.	Metcalfe.
Donnell.	Moffett.
Finn.	Munson.
Forbes.	Murphy.
Ford.	Olsen.
Fuchs.	O'Quinn.
Giles.	Petsch.
Graves.	Rountree.
Grogan.	Sanders.
Hill.	Shelton.
Holder.	Smith of Bastrop.
Holland.	Smith of Wood.
Howsley.	Steward.
Hubbard.	Turner.
Hughes.	Wagstaff.
Johnson	Weinert.
of Dimmit.	West of Coryell.
Johnson of Morris.	Westbrook.

Nays—58.

Akin.	Ferguson.
Alsup.	Gilbert.
Anderson.	Greathouse.
Baker.	Hanson.
Bounds.	Hefley.
Brice.	Herzik.
Brooks.	Hoskins.
Bryant.	Jackson.
Burns of Walker.	Kennedy.
Coltrin.	Laird.
Cox of Lamar.	Lee.
Cunningham.	Lemens.
Dale.	Leonard.
Dowell.	Lockhart.
Dwyer.	McCombs.
Elliott.	McDougald.
Engelhard.	McGregor.
Farmer.	Magee.
Farrar.	Mehl.

Moore.	Stevenson.
Ramsey.	Strong.
Ratliff.	Sullivant.
Ray.	Towery.
Richardson.	Vaughan.
Satterwhite.	Veatch.
Scott.	Walker.
Sherrill.	Wiggs.
Sparkman.	Wyatt.
Stephens.	Young.

Present—Not Voting.

Goodman.	Tarwater.
Jones of Atascosa.	

Absent.

Barron.	Johnson of Dallam.
Beck.	Keller.
Burns	Lasseter.
of McCulloch.	Martin.
Davis.	Morse.
DeWolfe.	Nicholson.
Dunlap.	Patterson.
Fisher.	Pope.
Hardy.	Reader.
Harman.	Rogers.
Harrison	Terrell of Cherokee.
of El Paso.	Terrell
Harrison	of Val Verde.
of Waller.	Van Zandt.
Hatchitt.	West of Cameron.
Hines.	

Absent—Excused.

Adams of Harris.	Coombes.
Adamson.	Daniel.
Albritton.	Duvall.
Bedford.	Holloway.
Bond.	Kayton.
Boyd.	Mathis.
Bradley.	Savage.
Claunch.	Warwick.

Mr. Cox of Lamar moved to reconsider the vote by which the bill failed to pass to engrossment and to table the motion to reconsider.

The motion to table prevailed.

## MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, September 21, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

Conference committee report on House bill No. 7, by the following vote: Yeas 17, nays 10.

**MESSAGE FROM THE  
GOVERNOR.**

Mr. Pat Dougherty, secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,  
September 21, 1931.

To the Members of the Forty-second Legislature:

Pursuant to resolutions passed by the Senate and House of Representatives, in which you request the submission of salary reductions, I am submitting herewith bills which in effect reduce all salaries of State employes with the exception of those fixed by the Constitution and those salaries that are less than one hundred and thirty-four dollars (\$134) per month.

I feel that it is absolutely necessary to reduce the expenses of operation of the State government and if the expenses are not reduced, it will become necessary to fix the ad valorem tax at the constitutional limit.

Therefore, I request that you give these measures your prompt and careful consideration.

Respectfully submitted,  
R. S. STERLING,  
Governor.

**BILLS AND RESOLUTION SIGNED  
BY THE SPEAKER.**

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolution:

S. C. R. No. 6, Relative to the removal of certain army posts.

H. B. No. 35, "An Act to amend Subdivision (b) of Section 3, of House bill No. 239, enacted by the Forty-second Legislature of Texas, Regular Session, extending the time for the holding of the election provided for therein and providing the same may be held at any time prior to December 31, 1935, and declaring an emergency."

S. B. No. 22, "An Act to amend Section 28, Chapter 16, of the General Laws passed by the Thirty-ninth Leg-

islature, at its First Called Session, by adding thereto two new sections, known as Section 16a and Section 16b; providing that where any road district includes within its limits portion of a previously created road district, subdivision or precinct, having road bond debts outstanding, the newly-created road district may issue bonds for the purchase of roads within the previously created district, subdivision or precinct; provided, that such bonds shall be authorized and issued in the form and manner prescribed by general law; providing that nothing in this act shall affect or impair any bond debts of previously created road districts, subdivisions or precincts, portions of which may be included within the subsequently created road district, but that such indebtedness shall remain chargeable against the territory voting the same; providing that where a two-thirds majority of the qualified taxpayers and voters of any road district embracing portions of any previously created road district, subdivision or precinct, heretofore created, voting on the proposition, have voted in favor of the issuance of bonds for the purchase of roads within the road district, subdivision or precinct, portions of which were and are included within the new district, and also voting on the proposition, of the further construction of roads within the new district and the levy of taxes therefor, and such bonds have been approved by the Attorney General and registered by the State Comptroller, each such election and all acts and proceedings in connection therewith by the commissioners' court, and all such bonds and taxes, are validated and declared to be the legal and binding obligations of such districts, according to their terms; authorizing the commissioners' court to pass all necessary orders in respect of any such bonds which have not been issued and sold, and to levy taxes therefor; providing for the assumption by the new district of only that portion of the outstanding bonded indebtedness of the old district in the same ratio that the assessed valuation of the property of the former district, subdivision or precinct, included in the new district, bears to the assessed valuation of such former district, subdivi-

sion or precinct; enacting provisions incident and necessary to the subject and purpose of this act; providing a method for the issuance of such bonds, and declaring an emergency."

**CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 7.**

Mr. Olsen, chairman, submitted the following conference committee report on House bill No. 7:

Committee Room,  
Austin, Texas, September 21, 1931.

Hon. Edgar E. Witt, President of the Senate; Hon. Fred H. Minor, Speaker of the House of Representatives.

Sirs: We, your conference committee on House bill No. 7, have had same under consideration, and have adjusted the differences between the House and Senate, and recommend the passage of the hereto attached bill, which is made a part of this report.

Respectfully submitted,  
CUNNINGHAM,  
WOODWARD,  
SMALL,  
NEAL,  
THOMASON,

On the part of the Senate.

OLSEN,  
MURPHY,  
TURNER,  
SPARKMAN,  
WESTBROOK,

On the part of the House.

**A BILL**

**To Be Entitled**

"An Act declaring it to be mandatory upon the Legislature of the State of Texas under the Constitution to enact laws to compel conservation, preservation and development of the soil and its fertility and to preserve the public interest, general welfare and happiness of the people; declaring soil and its fertility a natural resource; declaring certain public policies of the State in respect to the conservation, preservation and development of the soil; providing that for the purpose of preserving and conserving the soil; to prevent waste and erosion thereof and to more effectively prevent the spread of root rot and other diseases of plants and soil and to more effectively destroy insects and

to aid in preventing insect damage and to preserve the interest of the public, the general welfare, peace and happiness of the people, and in order to carry out the public policies set out in said act, it is made unlawful for any person, association of persons, firm, corporation, or joint stock company, being the owner, lessee or occupant of any separately owned tract of land in this State or the agent of the owner, to plant, cultivate or harvest on said separately owned tract of land during the year 1932, any crop of cotton or other soil-exhausting plants, excepting feed crops for man and domestic animals, or either, in excess of thirty per cent (30%) of the area of such tract of land which was in cultivation in planted crops during the year 1931, and in the same manner and to the same effect and for the same purpose, making it unlawful to plant such crops in 1933 in excess of thirty per cent (30%) of the area of such tract of land, which was in cultivation in planted crops during the year 1932; defining cultivated lands and affixing penalties for a violation of this act; defining separately owned tracts; prohibiting the planting, cultivation or harvesting of cotton and other soil-exhausting plants, excepting feed crops for man and domestic animals, or either, from being planted, cultivated and harvested on the same land two years in succession, making it unlawful to plant said products in 1933 on the same lands upon which said crops were planted in 1932 and thereafter making it unlawful to plant said crop on the same land two years in succession; affixing penalties for a violation of this act; providing for injunctions in order to prevent a violation of this act and to enforce the purposes and intents hereof; prescribing the procedure in respect thereto, giving the district courts jurisdiction thereof; defining the duties of the several county and district attorneys in respect thereto and further prescribing the duties of the Attorney General in the event any county or district attorney fails or refuses to act, prescribing the duties in inspectors of the State Department of Agriculture, the county judge of the several counties in Texas and

the Commissioner of Agriculture of the State of Texas, including State-owned and operated farms, within the terms of this act and exempting experimental farms maintained by State or governmental agencies and all areas of land cultivated by or under the direction of State or governmental agencies for experimental purposes or for developing or improving varieties of cotton or other farm plants from the provisions of this act; requiring owners and agents to give information as to the number of acres in cultivation and the number of acres planted in crops during the year 1931 and each year thereafter; imposing certain duties upon the county assessor of taxes in addition to the requirements contained in Article 7204, Revised Civil Statutes of 1925, giving to the assessor of taxes authority to administer oaths, and affixing penalties for his failure or neglect to perform the duties herein required and making Chapter 278, Acts of the Regular Session of the Forty-second Legislature, relating to the Commissioner of Agriculture, gathering, compiling and disseminating statistical information as relate to farm areas, crop acreage, natural resources and the products thereof applicable thereto, insofar as the same are not inconsistent with any provision of this act; repealing all laws or parts of laws in conflict herewith and providing if this act or any part thereof be held invalid, it shall not affect the remaining portions, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. It is hereby declared by the Legislature of the State of Texas that it is made mandatory upon the Legislature of the State of Texas under the Constitution of the State to enact laws to compel conservation, the preservation and development of the soil and the fertility thereof and to preserve the public interest and the general welfare and happiness of the people and in the exercise of the duty to preserve and develop the natural resources of the State and promote the general welfare of the people, this act is passed.

The Legislature declares:

a. The most valuable natural resource of the State is its soil and the fertility thereof adapted to the raising of cotton and other useful plants;

b. The growing of cotton in the State is an industry of first importance;

c. The preservation and restoration of the soil and the fertility of the soil is essential to the welfare of the people of the State;

d. The continuous use of land for the growing of cotton and other soil-exhausting plants, without rotation of crops, or without intervals during which intervals cotton and/or other soil-exhausting plants are not planted has, as to much of the land of the State, caused:

(1) Serious deterioration of the soil and the fertility thereof;

(2) Disastrous erosion of the land and loss of fertile soil;

(3) The spread over wide areas of root rot and other soil and/or plant diseases;

(4) The propagation of boll weevil, cotton flea, and other harmful insects, and made their elimination or control difficult;

(5) Deterioration of the quality and quantity of the cotton and other plants raised.

That like results will follow to the other cotton-raising areas unless prevented by this legislation; that the deterioration of the soil, and of the fertility of the soil, and of the loss of the soil, the presence of soil and plant diseases and harmful insects, and the deterioration in the quality and a reduction in the quantity per acre of the cotton and other plants raised has resulted in lack of ability on the part of a very large percentage of the farmers of the State to meet the obligations due upon their homes, and/or to discharge the taxes due to the State and/or counties, and/or other political subdivisions, whereby the general welfare of the people is injuriously affected, and the efficiency of the State government is greatly impaired, and the business of farming has thereby become affected and impressed with a public use; and now, therefore, in order to alleviate the evils now suffered and to prevent their further increase, the growing of cotton and other soil-exhausting plants is hereby regulated.

Sec. 2. For the purpose of conserving, preserving, and developing the fertility of the soil; to prevent waste of the soil; to prevent erosion of the soil; to more effectively prevent the spread of root rot and all other diseases of plants and soil; and to more effectively destroy insects and aid in preventing insect damage; and to preserve the interest of the public and the general welfare, peace, and happiness of the people, and in order to carry out each and every other purpose set out in Section 1 of this act, just as fully as if each of them were fully set out herein, it is hereby declared to be unlawful for any person, association of persons, firm, corporation, or joint stock company, being the owner, or lessee, or occupant of any separately owned tract of land in the State, or the agent of the owner thereof or any person or persons interested therein to plant, or cultivate, or harvest on the said separately owned tract of land during the year 1932, or during said year 1932, cause to be planted, or cultivated, or harvested thereon, or permit to be planted or cultivated or harvested thereon, any crop of cotton, or other soil-exhausting plants, excepting feed crops for man and domestic animals, or either, in excess of thirty per cent (30%) of the area of such separately owned tract of land which was in cultivation in planted crops during the crop year, 1931; provided, however, lands upon which agricultural products are grown and which are not annually planted and/or cultivated, shall not be construed as cultivated lands within the meaning of this act; provided further that nothing herein contained is intended to prevent the harvesting of crops lawfully planted under the provisions of this act.

Sec. 3. For the purpose as set forth in Sections 1 and 2 hereof, it is hereby declared to be unlawful for any person, association of persons, firm, corporation, or joint stock company, being the owner, or lessee, or occupant of any separately owned tract of land in the State, or the agent of the owner thereof or any person or persons interested therein, to plant, or cultivate, or harvest on the said separately owned tract of land during the year 1933, or during the said year 1933, cause to be planted, or cultivated, or harvested thereon any crop of cotton, or other soil-

exhausting plants, excepting feed crops for man and domestic animals, or either, in excess of thirty per cent (30%) of the area of such separately owned tract of land which was in cultivation in planted crops during the crop year 1932; provided, however, lands upon which agricultural products are grown and which are not annually planted and/or cultivated, shall not be construed as cultivated lands within the meaning of this act; provided further that nothing herein contained is intended to prevent the harvesting of crops lawfully planted under the provisions of this act.

Provided, however, that as to the year 1933, no person shall be denied the right to plant as great a total acreage of land to cotton and/or other soil-exhausting plants, except feed crops for man and domestic animals or either, as would have been permissible during the year 1932.

The words "separately owned tract" shall be held to include any single tract or two or more tracts of land in the same county in whole or in part owned in fee simple or by tenants in common or for life, or as lessee for a term of years or any other title including a right of possession and/or control, and a "separately owned tract," as herein defined, shall constitute the unit for determining the per cent of planting as authorized by this act.

Sec. 4. For the purposes set out in Section 1 of this act and to carry out the policies herein declared, it shall be unlawful for any person, association of persons, firm, corporation or joint stock company, being the owner, or lessee, or occupant of any separately owned tract of land in the State, or the agent of the owner thereof, or any person or persons interested therein, to plant, or cultivate, or harvest cotton or any other soil-exhausting plants, excepting feed crops for man and domestic animals, or either, on any land in this State in 1933, for the purpose of raising cotton, or other soil-exhausting plants excepting feed crops for man and domestic animals, or either, upon which said land cotton or other soil-exhausting plants were planted or grown during the year 1932; provided, however, that nothing herein contained is intended to prevent the harvesting of crops lawfully planted under the provisions of this act.

Sec. 5. For the purposes referred to in Sections 1 and 3 herein, it shall be unlawful for any person, association of persons, firm, corporation, or joint stock company, being the owner, or lessee, or occupant of any separately owned tract of land in the State, or the agent of the owner thereof, or any person or persons interested therein, to plant, or cultivate, or harvest cotton, or any other soil-exhausting plants, excepting feed crops for man and domestic animals, or either, on any land in this State in 1934, upon which said land cotton or other soil-exhausting plants, excepting feed crops for man and domestic animals, or either, were planted, cultivated or harvested during the year 1933, and thereafter no such soil-exhausting plants, excepting feed crops for man and domestic animals, or either, shall be planted during any year for the purpose of producing the same, on the same land upon which cotton or other soil-exhausting plants, excepting feed crops for man and domestic animals, or either, were planted, or cultivated, or harvested, during the year immediately preceding and same shall not be planted or cultivated on the same land any two years in succession; provided, however, nothing herein contained is intended to prevent the harvesting of crops lawfully planted under the provisions of this act.

Sec. 6. Every person, firm, corporation or association of persons, or joint stock company, being the owner, or lessee, or occupant of any separately owned tract of land in the State, or agent of the owner thereof, or any person or persons interested therein, who shall plant, or cultivate or harvest, or permit to be planted, cultivated or harvested to cotton or any other soil-exhausting plants any land in this State in violation of this act, for each acre of land so planted, or cultivated, or harvested, or permitted to be planted, or cultivated, or harvested, in violation of this act, shall become liable and forfeit to the State and pay into the road and bridge fund of the county where the violation occurs a sum of not less than twenty-five dollars (\$25) and not more than one hundred dollars (\$100) for each acre of land so planted, or cultivated, or harvested in violation of this act, which may be recovered in the name of the State of Texas, in the district court of any

county in the State of Texas in which such violation or violations have occurred and venue is hereby given to such district courts, and where a violation involves a county line farm the suit may be brought in any county in which any part of said farm is situated.

Sec. 7. Upon the sworn complaint of any citizen in this State that any part of this act is being, has been or is, threatened to be violated, or upon the request of the county judge of any county in this State, or of the Commissioner of Agriculture of this State, it is hereby made the duty of the several county and district attorneys of this State to institute injunction proceedings in the proper courts in the county in which such violation or violations have occurred, as above specified, in the name of the State as plaintiff, against the persons complained of as defendants, to enforce the provisions of this act, and collect the penalties provided for herein, and to prevent any violation thereof, and the said county and or district attorney instituting any suit under this act shall pray for an injunction, and if it shall appear to the judge from the facts stated in the petition that the provisions of this act have been violated and are being violated or that violation is threatened or about to take place, he shall indorse thereon or annex thereto his written order directing the clerk of the proper court to issue the writ of injunction prayed for, upon such terms and under such modifications, limitations and restrictions as may be specified in said order; and a hearing may be had in said injunction as provided by law, and in event said injunction is not dissolved by the trial court and appeal thereon is taken, the court shall not suspend the injunction on appeal except upon the execution of a good and sufficient bond to be fixed and approved by the court in a sum not less than double the minimum amount of the penalties sued for. In such suit or suits any number of defendants residing within the same county or involving a county line farm may be made parties thereto, and the joinder of more than one defendant in the same action shall not be cause to abate said action. All actions brought under this act on motion of attorneys for the State shall have precedence of all other business, civil or criminal, except crimi-



nal cases where the defendants are in jail. The fees for representing the State in all proceedings under this act shall be ten per cent (10%) of the amount collected for its violation, which fees shall be construed as fees of office and shall be accountable as such. It is hereby made the duty of all the inspectors of the State Department of Agriculture to assist in the enforcement of this act by observing the acreage planted to cotton or other soil-exhausting plants, excepting feed crops for man and domestic animals, or either, as compared to the total cultivated acreage and to report any and all violations of this act to the proper enforcement officers, and to furnish testimony upon which to base suits.

It is specially provided that except as otherwise provided herein the general statutes of Texas relating to injunctions shall be applicable and except where said general statutes are inconsistent with the provisions hereof this act is cumulative.

Sec. 8. In the event the county and/or district attorney fails and/or refuses to perform the duties as required by this act, then, upon the request of the county judge of any county or the Commissioner of Agriculture of the State of Texas, it shall be the duty of the Attorney General of Texas to carry out said provisions by the institution of said suits as provided herein.

Sec. 9. It is the intention of this act that all farms owned and/or operated by the State of Texas, or any of its governmental agencies, shall be and are hereby declared to be subject to the provisions of this act. Provided that all experimental farms maintained by State or Federal governmental agencies and all areas of land cultivated by or under the direction of either State or Federal governmental agencies for experimental purposes or for developing or improving varieties of cotton or other farm plants operating under State or governmental agencies, shall be exempt from all the provisions of this bill.

Sec. 10. Each and every person upon the rendition of his or his principals' lands for taxes for the year 1932, shall state to the county assessor of taxes the total number of acres in cultivation in 1931, and also the number of acres thereof upon which

cotton was grown on said land during the year 1931; and likewise and in the same manner, upon the rendition of his or his principals' lands for taxes for the year 1933, and each year thereafter, he shall state to the county assessor of taxes the total number of acres in cultivation during the years immediately preceding and also the number of acres thereof upon which cotton was grown on said land during the year immediately preceding. Each rendition so made shall, in addition to the requirements contained in Article 7204 of the Revised Civil Statutes of 1925, contain the questions and answers hereinabove required, all of which as now required by law, shall be sworn to by the person making the rendition.

The assessors of taxes are, in addition to the authority given them in Article 7184 of the Revised Statutes of 1925, to administer oaths, hereby authorized and empowered to administer all oaths necessary to procure the full and complete information as to cotton acreage provided for in this section.

And the assessor of taxes, for every failure or neglect to administer the oath or affirmation prescribed in this section to each person rendering a list of lands for taxes under this section, unless the person refuses to qualify, shall forfeit fifty dollars (\$50) to be deducted out of his commissions upon satisfactory information furnished the county judge; and for each failure or neglect to attest the oath subscribed to as provided in this section, shall forfeit the sum of fifty dollars (\$50), upon satisfactory information furnished the county judge. The forfeitures imposed in this section shall be deducted from the assessor's commissions on assessment for county taxes.

Sec. 11. As a further aid in the enforcement of this act and for the purpose of obtaining information to enable the officers to more effectively enforce the provisions of this act, it is declared that insofar as the requirements of Chapter 278, Acts of the Regular Session of the Forty-second Legislature, entitled "An Act requiring the Commissioner of Agriculture to gather, compile, and disseminate statistical information relating to farm areas, crop acreage, natural resources and products, thereof, etc.," is hereby made applicable

hereto insofar as the same is not inconsistent with any provision of this act.

Sec. 12. Any and all laws and parts of laws in conflict herewith are hereby expressly repealed.

Sec. 13. If any part of this act shall be held to be invalid, or, if any sentence, section, or subsection shall be held to be invalid, it is expressly declared by the Legislature that the remaining parts, sections, or subsections, shall not in any manner be affected thereby but the remaining portion of said act and of each sentence, section, or subsection shall be held to remain in full force and effect; and it is now declared by the Legislature that notwithstanding the invalidity, if any, of any part of this act, or any section, or subsection, the Legislature would have enacted the remaining portions, regardless of the invalidity of any sentence, section, or subsection or any other portion thereof.

Sec. 14. The importance of the subject matter herein contained; and the fact that the laws of Texas are inadequate to carry out the constitutional provisions for the preservation, development, and conservation of the soil and the fertility thereof and to preserve the public interest and the general welfare and happiness of the people; the immediate necessity of enacting an adequate law to prevent deterioration, erosion, and loss of fertility of the soil; and to prevent soil and plant diseases and the propagation and spread of harmful insect pests; and to maintain and increase the quality of cotton and other farm plants raised; the limited time in which the Legislature may act, creates an emergency and an imperative public necessity that the constitutional rule which requires bills to be read on three several days be suspended and said rule is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is hereby so enacted.

Mr. Olsen moved that the report be adopted.

Mr. Metcalfe moved that the conference report be not adopted, and that the same conference committee be requested to return with instruction to bring in a bill that contains "a cotton reduction acreage of not less than 33-1/3%."

On motion of Mr. Westbrook, the motion by Mr. Metcalfe was tabled.

Mr. Burns of McCulloch moved the previous question on the adoption of the report, and the main question was ordered.

The report was adopted by the following vote:

Yeas—79.

Adams of Jasper.	Justiss.
Adkins.	Laird.
Akin.	Lee.
Barron.	Lemens.
Burns of Walker.	Leonard.
Carpenter.	Long.
Coltrin.	McGill.
Cox of Lamar.	Magee.
Cox of Limestone.	Metcalfe.
Dale.	Munson.
Dodd.	Murphy.
Donnell.	Olsen.
Dowell.	Petsch.
Dwyer.	Pope.
Engelhard.	Ratliff.
Finn.	Ray.
Forbes.	Reader.
Ford.	Richardson.
Fuchs.	Satterwhite.
Gilbert.	Scott.
Giles.	Shelton.
Goodman.	Sherrill.
Greathouse.	Smith of Bastrop.
Grogan.	Smith of Wood.
Hanson.	Sparkman.
Hatchitt.	Stevenson.
Herzik.	Steward.
Hill.	Strong.
Hines.	Sullivant.
Holder.	Tarwater.
Holland.	Towery.
Holloway.	Turner.
Hoskins.	Veatch.
Hughes.	Wagstaff.
Jackson.	Weinert.
Johnson	West of Coryell.
of Dimmit.	Westbrook.
Johnson of Morris.	Wiggs.
Jones of Shelby.	Wyatt.
Jones of Atascosa.	Young.

Nays—35.

Alsup.	Harrison
Anderson.	of Waller.
Baker.	Hefley.
Bounds.	Howsley.
Brice.	Johnson
Bryant.	of Dallam.
Burns	Kennedy.
of McCulloch.	Lockhart.
Caven.	McCombs.
Elliott.	McDougald.
Farmer.	McGregor.
Ferguson.	Mehl.
Graves.	Moffett.
Hardy.	Nicholson.

O'Quinn.	Terrell of Val Verde.
Ramsey.	Van Zandt.
Rountree.	Vaughan.
Sanders.	Walker.
Stephens.	West of Cameron.

## Present—Not Voting.

Farrar.

## Absent.

Beck.	Keller.
Brooks.	Lasseter.
Cunningham.	Lilley.
Davis.	Martin.
DeWolfe.	Moore.
Dunlap.	Morse.
Fisher.	Patterson.
Harman.	Rogers.
Harrison	Terrell
of El Paso.	of Cherokee.
Hubbard.	

## Absent—Excused.

Adams of Harris.	Coombes.
Adamson.	Daniel.
Albritton.	Duvall.
Bedford.	Kayton.
Bond.	Mathis.
Boyd.	Savage.
Bradley.	Warwick.
Claunch.	

## Reasons for Vote.

I cannot vote for the free conference report to House bill No. 7. That it is unconstitutional I have no doubt, and would ultimately be so declared after having unsettled labor and economic conditions throughout this State.

In my county (Ellis) much of it is peculiarly adapted to cotton, and has little adaption to other major agricultural products. As a result, for years, approximately ninety per cent has been planted to cotton and its entire labor and commercial supply and set-up is based thereon. Its labor, gins, stores, banks, cotton yards, oil mills, compresses, and everything pertaining to the cotton industry, dependent upon the local cotton, will be all but destroyed. Unemployment will be greatly increased, tenants deprived of homes, or left without a way or means, adequately to obtain credit and provide for their families. With little or no money crop, taxes on our rich high-taxed black lands will go delinquent and result in the collapse of prices and stagnation on the market. I cannot vote for a law which in my opinion

will entail such a calamity on my county.

I fear if this law should pass, and be enforced, it would invite other cotton producing countries of the world to increase production as much or more than we decrease it, and permanently maintain a stifling competition thereby created.

Any just relief along this line must be by world-wide concert. I doubt if the passage of this law would result in any appreciable betterment in prices. The prices of all of major agricultural products of Texas are greatly depressed, resulting from a general world-wide economic depression, and I doubt the efficiency of any law to save the situation as to one particular crop. It would be a dangerous experiment and in view of the disaster which would result in my county I cannot vote to try it.

I deny that the Legislature has a right to invade by law the farm and tell the owner or occupant what he may or shall not plant on his own farm and in the management of his own enterprise in his own way. Such an exercise of legislative power is an usurpation of the inherent rights of free men, and nothing short of despotism; and despotism is contrary to the spirit of free government whether exercised by an elective Legislature, or an hereditary despot. It is only one jump from dictating to a farmer what he cannot plant or produce, to dictating to him what and how much he shall plant or produce, and possibly with more reason, I fear that this bill is a precedent under which unthought-of further and far-reaching usurpations may be justified. My vote here today would not change the result; and in deference to a seeming majority sentiment expressed in mass meetings and petitions in my county, and which I cannot wholly ignore, I have voted "present," but if required to vote "yes" or "no," would vote "no." I hope my judgment is wrong and that despite my fears, the law will result in greater good than harm, for I had rather see the general welfare enhanced than a vindication of my judgment.

FARRAR.

Reasons for voting "aye" for cotton control free conference report:

I very seriously doubt the legality of the bill in the first place, in the

second place, I seriously doubt it will or can reduce the production of cotton, and that of course is the main object in view, and in the third place, it sets up a complicated system of legal machinery attempting to govern and control cotton acreage that is impossible and impracticable of enforcement.

The present cotton acreage in Texas is 51 per cent of the cultivated land. This bill limits the acreage of cotton in 1932 to 30 per cent of the cultivated land, a reduction, as I see it, of only 21 per cent, which is negligible and will in no way affect the price of cotton by limiting its production. Assuming 1931 production and acreage as a basis, we will produce next year only 1,053,780 bales less than this year or a total of 3,964,220, and with no assurance from sister cotton-growing States that they will adopt this or a similar measure, creates serious misgivings in my mind as to the effectiveness of the bill, however, this is no time for obstruction or delay and I reluctantly yield to the majority opinion with the hope in my heart that the bill will furnish the relief hoped for, but with serious doubts that it will do so. The farmers of Texas are clamoring for and demanding relief; they are entitled to the best consideration and action of the Legislature, and this bill being the majority view, I yield with the reservations above set out.

GILBERT.

I vote "nay" on conference committee report in which House bill No. 7 is amended to authorize planting of 30 per cent of cultivated area to cotton in 1932 and 1933, because it's my judgment that the salient feature of conservation of soil and plants must be paramount and not secondary; which is to say, that if this act had provided for half the crop to be planted to cotton in 1932 and rotated in 1933 by providing cotton to follow other crops, it could have been lived up to and the plan of rotation in acreage thereby been equal, uniform, constitutional, and enforceable. This law has for its purpose a tendency to raise the price of merchantable cotton rather than conservation of soil and plants in the exact ratio that 30 per cent is to 50 per cent of crops cultivated each

year, and thereby discriminates against 20 per cent of cultivated land that serves absolutely no purpose.

BOUNDS.

I vote for the adoption of the free conference committee report because of the continued demands from the ranks of the farmers, themselves, for acreage-control legislation.

The percentage specified in the committee report does not meet with my personal approval, and the basing of the percentage on the land actually cultivated in 1931, instead of upon the tillable acreage owned, seems to me to be unjust and inequitable.

Being convinced, however, that the committee report is the best compromise obtainable, I vote "yea."

HOSKINS.

The free conference committee report on House bill No. 7 does not reflect the wishes of my people, and I am no longer under obligation to give it my support, leaving me free to vote my own sentiments. I believe it of no value to the farmers, nor do I believe it constitutional, as written. So I vote "no."

BRYANT.

I voted for the conference report on House bill No. 7 with the hope that it would help the farmers and the people of Texas and because it more nearly comes up to the desires of the farmers of our district as expressed personally, by mass meetings, and resolutions. For many months I have hoped that we could by law conserve our soils and save them for future generations and I hope this law may be beneficial in that respect, though I fear it will not affect the present price of cotton very much.

DOWELL.

The cotton regulation bill passed by this called session is contrary to all good government and will be all but impossible to enforce. I am voting contrary to my convictions, but as the farmer and cotton-raiser was anxious to have this regulation, I am voting for it. It will cause strife and dissension among the citizenship and I believe before it is on the statute books as long as a year, the same people that asked for its passage will be asking for its repeal.

SHERILL.

I voted against House bill No. 7, as amended, submitted for the purpose of limiting the planting of cotton for the farmers of this State. Governmental interference as to how much and what a person can plant or cannot raise on his own property is an invasion into his property rights, which is something that should remain inviolate if we want to perpetuate the cherished freedom of our property ownership. To set a precedent of this kind would entail further legislation, proposing to help the growers of other farm products, which means the gradual impoverishment of the rights to enjoy our property, as we see fit, so long we do not injure our neighbor. When the State undertakes to regulate economic conditions by statutory enactments, it establishes a dangerous precedent and undertakes an impossible task. This period of world-wide economic depression has precipitated a willingness on the part of some of our people to lay aside the safeguards of the Constitution in order to secure momentary relief. In response to a strong popular demand and the call of the Governor, I have justified myself in voting for a cotton holiday for 1932 only, for the purpose of imposing a suggestion upon the cotton farmer to experiment with other farm products, something he has never learned to do. Instead of the Long plan, I would rather see the cotton-producing States of the South, organize with adequate State appropriations and attain a position where this organization can constructively market, through organized effort, the cotton we produce. A cotton holiday for one year was the nearest thing approaching this idea and hence the justification of my vote.

HARRISON of Waller.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, September 21, 1931.  
Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 11, Relative to a donation of land by the McFarlin interests to the State of Texas.

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

#### ADDRESS BY THE HON. REES FOWLER.

Mr. Satterwhite, being recognized by the Speaker, presented Mr. Rees Fowler, a former member of the House.

Mr. Fowler then addressed the House briefly.

#### HOUSE BILL NO. 58 ON SECOND READING.

On motion of Mrs. Strong, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 58, A bill to be entitled "An Act to amend Article 955 of the Revised Civil Statutes of Texas of 1925, as amended by House bill No. 466, Chapter 257, General and Special Laws of the Regular Session of the Forty-first Legislature."

Mrs. Strong moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 58 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	Greathouse.
Adams of Jasper.	Grogan.
Adkins.	Hanson.
Akin.	Harrison
Anderson.	of Waller.
Barron.	Hatchitt.
Bounds.	Hefley.
Brice.	Herzik.
Bryant.	Hill.
Burns of Walker.	Hines.
Carpenter.	Holder.
Caven.	Holland.
Coltrin.	Holloway.
Cox of Lamar.	Hoskins.
Cox of Limestone.	Howsley.
Dale.	Hughes.
Dodd.	Jackson.
Donnell.	Johnson
Dowell.	of Dallam.
Dwyer.	Johnson
Elliott.	of Dimmit.
Engelhard.	Johnson of Morris.
Ferguson.	Jones of Shelby.
Finn.	Jones of Atascosa.
Forbes.	Justiss.
Ford.	Kennedy.
Gilbert.	Laird.
Giles.	Lee.
Goodman.	Lemens.

Leonard.	Sherrill.
Lilley.	Smith of Bastrop.
Long.	Smith of Wood.
McCombs.	Stephens.
McGill.	Stevenson.
Magee.	Steward.
Metcalfe.	Strong.
Moffett.	Sullivant.
Moore.	Tarwater.
Munson.	Terrell
Murphy.	of Val Verde.
Nicholson.	Towery.
Olsen.	Turner.
Petsch.	Van Zandt.
Pope.	Vaughan.
Ratliff.	Veatch.
Ray.	Wagstaff.
Reader.	Walker.
Richardson.	Weinert.
Rountree.	West of Coryell.
Satterwhite.	Wiggs.
Scott.	Wyatt.
Shelton.	Young.

## Nays—2.

Farmer.	Lockhart.
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## Absent.

Alsup.	Hubbard.
Baker.	Keller.
Beck.	Lasseter.
Brooks.	McDougald.
Burns	McGregor.
of McCulloch.	Martin.
Cunningham.	Mehl.
Davis.	Morse.
DeWolfe.	O'Quinn.
Dunlap.	Patterson.
Farrar.	Ramsey.
Fisher.	Rogers.
Fuchs.	Sanders.
Graves.	Sparkman.
Hardy.	Terrell
Harman.	of Cherokee.
Harrison	West of Cameron.
of El Paso.	Westbrook.

## Absent—Excused.

Adams of Harris.	Coombes.
Adamson.	Daniel.
Albritton.	Duvall.
Bedford.	Kayton.
Bond.	Mathis.
Boyd.	Savage.
Bradley.	Warwick.
Claunch.	

The Speaker then laid House bill No. 58 before the House on its second reading and passage to engrossment.

The bill was read second time.

Mrs. Strong offered the following amendments to the bill:

## (1)

Amend House bill No. 58, Section 1, by adding after the words "Forty-first Legislature, and further amended by House bill No. 179, Chapter 304, of the Regular Session of the Forty-second Legislature, to hereafter read as follows":

## (2)

Amend House bill No. 58 by adding after the word "mention," the following: "by any other means than by ordinary hook and line or trot line, or artificial bait, and no person shall place in the fresh water rivers, creeks, lakes, bayous, pools, or lagoons of the counties above-named."

The amendments were severally adopted.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House bill No. 58 was then passed to engrossment.

## HOUSE BILL NO 58 ON THIRD READING.

The Speaker then laid House bill No. 58 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—107.

Mr. Speaker.	Ferguson.
Adams of Jasper.	Finn.
Adkins.	Forbes.
Akin.	Ford.
Alsup.	Gilbert.
Anderson.	Giles.
Barron.	Goodman.
Bounds.	Graves.
Brice.	Greathouse.
Brooks.	Grogan.
Bryant.	Hanson.
Burns of Walker.	Harrison
Burns	of Waller.
of McCulloch.	Hatchitt.
Carpenter.	Hefley.
Coltrin.	Herzik.
Cox of Lamar.	Hill.
Cox of Limestone.	Hines.
Dale.	Holder.
DeWolfe.	Holland.
Dodd.	Holloway.
Donnell.	Hoskins.
Dwyer.	Howsley.
Elliott.	Hubbard.
Engelhard.	Hughes.

Jackson.	Reader.
Johnson	Richardson.
of Dallam.	Rountree.
Johnson	Sanders.
of Dimmit.	Satterwhite.
Johnson of Morris.	Scott.
Jones of Shelby.	Shelton.
Jones of Atascosa.	Sherrill.
Justiss.	Smith of Bastrop.
Kennedy.	Smith of Wood.
Laird.	Sparkman.
Lee.	Stephens.
Lemens.	Stevenson.
Leonard.	Steward.
Lilley.	Strong.
Lockhart.	Sullivant.
Long.	Tarwater.
McCombs.	Terrell
McGill.	of Val Verde.
Magee.	Towery.
Metcalfe.	Van Zandt.
Moffett.	Vaughan.
Moore.	Veatch.
Munson.	Wagstaff.
Murphy.	Walker.
Nicholson.	Weinert.
Olsen.	West of Coryell.
Petsch.	Westbrook.
Pope.	Wiggs.
Ratliff.	Wyatt.
Ray.	Young.

Nays—1.

Farmer.

Absent.

Baker.	Lasseter.
Beck.	McDougald.
Caven.	McGregor.
Cunningham.	Martin.
Davis.	Mehl.
Dowell.	Morse.
Dunlap.	O'Quinn.
Farrar.	Patterson.
Fisher.	Ramsey.
Fuchs.	Rogers.
Hardy.	Terrell
Harman.	of Cherokee.
Harrison	Turner.
of El Paso.	West of Cameron.
Keller.	

Absent—Excused.

Adams of Harris.	Coombes.
Adamson.	Daniel.
Albritton.	Duvall.
Bedford.	Kayton.
Bond.	Mathis.
Boyd.	Savage.
Bradley.	Warwick.
Claunch.	

## HOUSE BILL NO. 44 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 44, A bill to be entitled "An Act to amend Chapter 47 of the Acts of the First Called Session of the Forty-first Legislature, as amended by Chapter 140 of the Acts of the Regular Session of the Forty-second Legislature, so as to provide that neither said act nor said act so amended shall apply to nor affect any county in this State which is subject to the provisions of Chapter 82 of the General and Special Laws of the Regular Session of the Fortieth Legislature, being Senate bill No. 375 of said session, published on page 124 of said laws, and to validate all consolidations of school districts and other acts of the county board of school trustees of all counties subject to the provisions of said Chapter 82, heretofore consummated or performed, and declaring an emergency."

The bill was read third time and was passed.

## HOUSE BILL NO. 50 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 50, A bill to be entitled "An Act to amend Section 28, Chapter 16, of the General Laws passed by the Thirty-ninth Legislature, at its First Called Session, by adding thereto two new sections, known as Section 16a and Section 16b; providing that where any road district includes within its limits portion of a previously created road district, subdivision or precinct, having road bond debts outstanding, the newly created road district may issue bonds for the purchase of roads within the previously created district, subdivision or precinct; providing that such bonds shall be authorized and issued in the form and manner prescribed by general law; providing that nothing in this act shall affect or impair any bond debts of previously created road districts, subdivisions or precincts, portions of which may be included within the subsequently created road district, but that such indebtedness shall remain chargeable against the territory voting the same; providing that when a two-thirds majority of the qualified taxpayers and voters of any road district embracing portions of any previously created road district, subdivision or precinct, heretofore created, voting on the proposition,

have voted in favor of the issuance of bonds for the purchase of roads within the road district, subdivision or precinct, portions of which were and are included within the new district, and also, voting on the proposition of the further construction of roads within the new district and the levy of taxes therefor, and such bonds have been approved by the Attorney General and registered by the State Comptroller, each such election and all acts and proceedings in connection therewith by the commissioners' court, and all such bonds and taxes, are validated and declared to be the legal and binding obligations of such districts, according to their terms; etc., and declaring an emergency."

The bill was read third time, and was passed.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Sanders, Senate bill No. 24 was ordered not printed.

On motion of Mr. Graves, Senate bill No. 15 was ordered not printed.

#### SENATE BILL NO. 24 ON SECOND READING.

On motion of Mr. Sanders, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading,

S. B. No. 24, A bill to be entitled "An Act to amend Article 7043 of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts of the Third Called Session of the Forty-first Legislature, page 527, Chapter 23, relating to ascertaining tax rate, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Ray offered the following amendment to the bill:

Amend Senate bill No. 24 by inserting after the word "year," line 6, page 2, the following: "and other revenues anticipated from natural gas, sulphur, cigarettes, cement and all sources other than ad valorem taxes"; and by striking out all after the word "property" line 17, page 2, down to and including the word "property," line 20, page 2.

Signed—Shelton, Young, Akin, Justiss, Ray, Farmer, Dale, Cox of Lamar, Brice, Bounds, Baker, Coltrin,

Alsup, Giles, Van Zandt, Sullivan, Carpenter, Gilbert, Laird, Fuchs, Dodd.

Mr. Hubbard moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

#### Yeas—56.

Mr. Speaker.	Johnson of Morris.
Adkins.	Jones of Atascosa.
Akin.	Lee.
Alsup.	Lemens.
Barron.	McDougald.
Brooks.	Magee.
Burns.	Moffett.
of McCulloch.	Moore.
Cox of Limestone.	Murphy.
Dowell.	Nicholson.
Elliott.	O'Quinn.
Engelhard.	Petsch.
Farrar.	Reader.
Forbes.	Richardson.
Ford.	Rountree.
Goodman.	Sanders.
Grogan.	Shelton.
Harrison.	Smith of Bastrop.
of Waller.	Smith of Wood.
Hatchitt.	Sparkman.
Herzik.	Steward.
Hines.	Strong.
Holder.	Turner.
Holland.	Vaughan.
Holloway.	Veatch.
Howsley.	Walker.
Hubbard.	Weinert.
Jackson.	West of Coryell.
Johnson.	Wiggs.
of Dallam.	

#### Nays—49.

Adams of Jasper.	Hughes.
Anderson.	Johnson
Bounds.	of Dimmit.
Brice.	Jones of Shelby.
Bryant.	Justiss.
Burns of Walker.	Kennedy.
Carpenter.	Laird.
Coltrin.	Leonard.
Cox of Lamar.	Lockhart.
Cunningham.	Long.
Dale.	McGill.
Dodd.	Munson.
Farmer.	Olsen.
Ferguson.	Ratliff.
Finn.	Ray.
Fuchs.	Satterwhite.
Gilbert.	Sherrill.
Giles.	Stephens.
Graves.	Stevenson.
Greathouse.	Sullivan.
Hanson.	Tarwater.
Harman.	Terrell
Hefley.	of Val Verde.
Hoskins.	Towery.



Van Zandt.	Young.
Wyatt.	Absent.
Baker.	McCombs.
Beck.	McGregor.
Caven.	Martin.
Davis.	Mehl.
DeWolfe.	Metcalfe.
Donnell.	Morse.
Dunlap.	Patterson.
Dwyer.	Pope.
Fisher.	Ramsey.
Hardy.	Rogers.
Harrison	Scott.
of El Paso.	Terrell
Hill.	of Cherokee.
Keller.	Wagstaff.
Lasseter.	West of Cameron.
Lilley.	Westbrook.

## Absent—Excused.

Adams of Harris.	Coombes.
Adamson.	Daniel.
Albritton.	Duvall.
Bedford.	Kayton.
Bond.	Mathis.
Boyd.	Savage.
Bradley.	Warwick.
Claunch.	

Mr. McDougald moved the previous question on the pending amendment and the bill and the main question was ordered.

Mr. Farmer offered the following amendment to the bill:

Amend Senate bill No. 24, by adding after Section 1, these words: "Provided the 69 cents shall include the 7 cents Confederate pension tax."

Question recurring on the amendment by Mr. Farmer, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—57.

Adams of Jasper.	Finn.
Akin.	Fuchs.
Anderson.	Gilbert.
Barron.	Giles.
Bounds.	Graves.
Brice.	Greathouse.
Brooks.	Hanson.
Bryant.	Harrison
Burns of Walker.	of Waller.
Carpenter.	Hatchitt.
Cox of Lamar.	Hefley.
Cunningham.	Herzik.
Dale.	Holland.
Daniel.	Hoskins.
Dodd.	Hughes.
Farmer.	Johnson
Ferguson.	of Dallam.

Justiss.	Stephens.
Laird.	Stevenson.
Leonard.	Sullivant.
Lockhart.	Tarwater.
Long.	Terrell
Magee.	of Val Verde.
Olsen.	Towery.
Pope.	Van Zandt.
Ray.	Veatch.
Reader.	West of Coryell.
Richardson.	Wiggs.
Sherrill.	Wyatt.
Sparkman.	Young.

## Nays—47.

Adkins.	Lee.
Alsup.	Lemens.
Burns	Lilley.
of McCulloch.	McDougald.
Coltrin.	McGill.
Dowell.	Metcalfe.
Dwyer.	Moffett.
Elliott.	Moore.
Engelhard.	Munson.
Farrar.	Murphy.
Forbes.	Petsch.
Ford.	Ratliff.
Goodman.	Rountree.
Grogan.	Sanders.
Holder.	Shelton.
Holloway.	Smith of Bastrop.
Howsley.	Smith of Wood.
Hubbard.	Steward.
Jackson.	Strong.
Johnson	Vaughan.
of Dimmit.	Wagstaff.
Johnson of Morris.	Walker.
Jones of Shelby.	Weinert.
Jones of Atascosa.	Westbrook.
Kennedy.	

## Absent.

Baker.	McCombs.
Beck.	McGregor.
Caven.	Martin.
Cox of Limestone.	Mehl.
Davis.	Morse.
DeWolfe.	Nicholson.
Donnell.	O'Quinn.
Dunlap.	Patterson.
Fisher.	Ramsey.
Hardy.	Rogers.
Harman.	Satterwhite.
Harrison	Scott.
of El Paso.	Terrell
Hill.	of Cherokee.
Hines.	Turner.
Keller.	West of Cameron.
Lasseter.	

## Absent—Excused.

Adams of Harris.	Boyd.
Adamson.	Bradley.
Albritton.	Claunch.
Bedford.	Coombes.
Bond.	Duvall.

Kayton.  
Mathis.

Savage.  
Warwick.

Senate bill No. 24 was then passed to third reading.

# SENATE BILL NO. 24 ON THIRD READING.

Mr. Hubbard moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 24 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—90.

Adkins.	Kennedy.
Alsup.	Laird.
Barron.	Lee.
Brice.	Lemens.
Brooks.	Leonard.
Bryant.	Lilley.
Burns	McDougald.
of McCulloch.	Magee.
Carpenter.	Metcalfe.
Cox of Lamar.	Moffett.
Cunningham.	Moore.
Dale.	Munson.
Dodd.	Murphy.
Dowell.	Nicholson.
Dwyer.	Olsen.
Elliott.	O'Quinn.
Engelhard.	Petsch.
Farrar.	Pope.
Ferguson.	Ratliff.
Finn.	Reader.
Forbes.	Richardson.
Fuchs.	Rountree.
Giles.	Sanders.
Goodman.	Scott.
Greathouse.	Shelton.
Grogan.	Sherrill.
Hanson.	Smith of Bastrop.
Hatchitt.	Smith of Wood.
Hefley.	Sparkman.
Herzik.	Stephens.
Hines.	Steward.
Holder.	Strong.
Holland.	Sullivan.
Holloway.	Tarwater.
Hoskins.	Towery.
Howsley.	Turner.
Hubbard.	Van Zandt.
Hughes.	Vaughan.
Jackson.	Veatch.
Johnson	Walker.
of Dallam.	Weinert.
Johnson	West of Coryell.
of Dimmit.	Westbrook.
Johnson of Morris.	Wiggs.
Jones of Shelby.	Wyatt.
Jones of Atascosa.	Young.
Justiss.	

## Nays—12.

Adams of Jasper.	Lockhart.
Anderson.	Long.
Bounds.	McGill.
Burns of Walker.	Ray.
Coltrin.	Terrell
Farmer.	of Val Verde.
Harrison	
of Waller.	

## Present—Not Voting.

## Akin.

## Absent.

Baker.	Keller.
Beck.	Lasseter.
Caven.	McCombs.
Cox of Limestone.	McGregor.
Davis.	Martin.
DeWolfe.	Mehl.
Donnell.	Morse.
Dunlap.	Patterson.
Fisher.	Ramsey.
Ford.	Rogers.
Gilbert.	Satterwhite.
Graves.	Stevenson.
Hardy.	Terrell
Harman.	of Cherokee.
Harrison	Wagstaff.
of El Paso.	West of Cameron.
Hill.	

## Absent—Excused.

Adams of Harris.	Coombes.
Adamson.	Daniel.
Albritton.	Duvall.
Bedford.	Kayton.
Bond.	Mathis.
Boyd.	Savage.
Bradley.	Warwick.
Claunch.	

The Speaker then laid Senate bill No. 24 before the House on its third reading and final passage.

The bill was read third time.

Mrs. Hughes offered the following amendment to the bill:

Amend Senate bill No. 24, page 1, lines 33 to 35 and page 2, line 1, by striking out the words "which" to "year" and inserting in lieu thereof the following: "which may be expected to be paid as taxes for State purposes from all sources other than as ad valorem taxes."

The amendment was adopted.

Mrs. Hughes offered the following amendment to the bill:

Amend Senate bill No. 24, page 1, lines 26 to 31, by striking out the sentence beginning with the word "They" and ending with the word "time" and inserting in lieu thereof

the following: "They shall add all sums which may be expected to be paid as taxes for State purposes from all sources other than as ad valorem taxes."

The amendment was adopted.

Mr. Farmer offered the following amendment to the bill:

Amend Senate bill No. 24, by striking out the words and figures, "sixty-nine (69) cents" wherever they appear, and substitute in lieu thereof, the words and figures "sixty (60) cents."

**BARRON,  
FARMER,  
WEINERT.**

The amendment was lost.

Senate bill No. 24 was then passed by the following vote:

Yeas—87.

Mr. Speaker.	Johnson
Adkins.	of Dimmit.
Akin.	Johnson of Morris.
Alsup.	Jones of Shelby.
Barron.	Jones of Atascosa.
Brice.	Justiss.
Brooks.	Kennedy.
Bryant.	Laird.
Burns	Lee.
of McCulloch.	Leonard.
Carpenter.	Lilley.
Cox of Lamar.	Magee.
Cox of Limestone.	Metcalf.
Dale.	Moffett.
DeWolfe.	Moore.
Dodd.	Murphy.
Dowell.	Nicholson.
Dwyer.	Olsen.
Elliott.	O'Quinn.
Engelhard.	Petsch.
Farrar.	Pope.
Finn.	Ratliff.
Forbes.	Reader.
Fuchs.	Richardson.
Gilbert.	Rountree.
Giles.	Sanders.
Goodman.	Shelton.
Grogan.	Sherrill.
Hanson.	Smith of Bastrop.
Harrison	Smith of Wood.
of Waller.	Sparkman.
Hatchitt.	Stephens.
Hefley.	Steward.
Herzik.	Strong.
Holder.	Sullivant.
Holland.	Tarwater.
Holloway.	Towery.
Howsley.	Turner.
Hubbard.	Van Zandt.
Hughes.	Vaughan.
Jackson.	Veatch.
Johnson	Wagstaff.
of Dallam.	Walker.

Weinert.                      Wiggs.  
West of Coryell.          Young.  
Westbrook.

Nays—16.

Adams of Jasper.	Hoskins.
Bounds.	Lockhart.
Burns of Walker.	Long.
Coltrin.	McGill.
Farmer.	Munson.
Ferguson.	Ray.
Graves.	Terrell
Greathouse.	of Val Verde.
Harman.	

Absent.

Anderson.	Lemens.
Baker.	McCombs.
Beck.	McDougald.
Caven.	McGregor.
Cunningham.	Martin.
Davis.	Mehl.
Donnell.	Morse.
Dunlap.	Patterson.
Fisher.	Ramsey.
Ford.	Rogers.
Hardy.	Satterwhite.
Harrison	Scott.
of El Paso.	Stevenson.
Hill.	Terrell
Hines.	of Cherokee.
Keller.	West of Cameron.
Lasseter.	Wyatt.

Absent—Excused.

Adams of Harris.	Coombes.
Adamson.	Daniel.
Albritton.	Duvall.
Bedford.	Kayton.
Bond.	Mathis.
Boyd.	Savage.
Bradley.	Warwick.
Claunch.	

#### MOTION TO TAKE UP HOUSE BILL NO. 22.

Mr. Brooks moved that the regular order of business be suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 22, A bill to be entitled "An Act amending Article 7065, Revised Statutes of Texas, 1925, as amended by Chapter 88, Section 17, Acts Second Called Session of the Forty-first Legislature, and declaring an emergency."

Mr. Petsch raised a point of order on the further consideration of the bill on the ground that it violated Section 7 of Article 8 of the Constitution.

Question—Shall the point of order be sustained?

## RELATIVE TO THE APPROPRIATION BILLS.

On motion of Mr. Graves, House bills No. 60, 61, 62, 63, 64, and 65 were ordered not printed as a part of the message from the Governor.

On motion of Mr. Graves, House bills No. 60, 61, 62, 63, 64, and 65 were referred to the Committee of the Whole House.

## BILL RE-REFERRED.

On motion of Mr. Leonard, House bill No. 55 was withdrawn from the Committee on State Affairs, and referred to the Committee of the Whole House.

## BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

H. B. No. 7, "An Act declaring the soil to be a natural resource of the State; declaring it is a public right and a public duty and made mandatory upon the Legislature of the State of Texas under Section 59 of Article 16 of the Constitution of the State of Texas to enact laws to compel the preservation and conservation of the fertility of the soil; providing that for the purpose of preserving and conserving the soil, preventing waste thereof and erosion of the soil, and to aid in the eradication of, and to prevent the spread of, root rot and all other diseases of the soil, it shall be unlawful for any person, association of persons, firm, corporation, or joint stock company, during the year 1932, to plant any cotton seed for the purpose of raising cotton on any land in excess of thirty-three and one-third per cent (33 $\frac{1}{3}$ %) of the area thereof in cultivation during the year 1931; and to make it unlawful for any person, association of persons, firm, corporation, or joint stock company during the year 1933, to plant any cotton seed for the purpose of raising cotton on any land in excess of fifty per cent (50%) of the area thereof in cultivation during the year 1932, etc., and declaring an emergency."

## RECESS.

On motion of Mr. Sanders, the House at 6 o'clock p. m., took recess to 9 o'clock a. m., tomorrow.

## APPENDIX.

## STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Agriculture: Senate bill No. 15.

Game and Fisheries: House bill No. 58.

State Affairs: Senate bill No. 24.

## REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, September 19, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 50, A bill to be entitled "An Act to amend Section 28, Chapter 16, of the General Laws passed by the Thirty-ninth Legislature at its First Called Session, by adding thereto two new sections, known as Section 16-A and Section 16-B; providing that where any road district includes within its limits portion of a previously created road district, subdivision or precinct, having road bond debts outstanding, the newly created road district may issue bonds for the purchase of roads within the previously created district, subdivision or precinct; providing that such bonds shall be authorized and issued in the form and manner prescribed by general law; providing that nothing in this act shall affect or impair any bond debts of previously created road districts, subdivisions or precincts, portions of which may be included within the subsequently created road district, but that such indebtedness shall remain chargeable against the territory voting the same; providing that where a two-thirds majority of the qualified taxpayers and voters of any road district embracing portions of any previously created road district, subdivision or precinct, heretofore created, voting on the proposition, have voted in favor of the issuance of bonds for the purchase of roads within the road district, subdivision or precinct, portions of which were and are included within the new district, and also, voting on the proposition of the further construction of roads within the new district and the

levy of taxes therefor, and such bonds have been approved by the Attorney General and registered by the State Comptroller, each such election and all acts and proceedings in connection therewith by the commissioners' court, and all such bonds and taxes, are validated and declared to be the legal and binding obligations of such districts, according to their terms, etc., and declaring an emergency,"

Have carefully compared same, and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,  
Austin, Texas, September 21, 1931.  
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 54, A bill to be entitled "An Act to amend Article 7043 of the Revised Civil Statutes of the State of Texas, 1925, Acts of the First Called Session, Thirtieth Legislature, page 464, relating to ascertaining tax rate, and declaring an emergency,"

Have carefully compared same, and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,  
Austin, Texas, September 19, 1931.  
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 44, A bill to be entitled "An Act to amend Chapter 47 of the Acts of the First Called Session of the Forty-first Legislature, as amended by Chapter 140 of the Acts of the Regular Session of the Forty-second Legislature, so as to provide that neither said act nor said act so amended shall apply to nor affect any county in this State which is subject to the provisions of Chapter 82 of the General and Special Laws of the Regular Session of the Fortieth Legislature, being Senate bill No. 375 of said session, published on page 124 of said laws, and to validate all consolidations of school districts and other acts of the county board of school trustees of all counties subject to the provisions of said Chapter 82, heretofore consummated or performed; and declaring an emergency,"

Have carefully compared same, and find it correctly engrossed.

JUSTISS, Chairman.

## REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,  
Austin, Texas, September 21, 1931.  
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 19, "An Act repealing Subdivision four (4) of Article 7047 of the Revised Civil Statutes of 1925, as amended by Chapter 212, Acts of the Regular Session of the Forty-second Legislature, levying an occupation tax on peddlers; and declaring an emergency,"

Have carefully compared same, and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,  
Austin, Texas, September 21, 1931.  
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 35, "An Act to amend Subdivision (b) of Section 3 of House bill No. 239 enacted by the Forty-second Legislature of Texas, Regular Session, extending the time for the holding of the election provided for therein and providing the same may be held at any time prior to December 31, 1935; also declaring an emergency,"

Have carefully compared same, and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,  
Austin, Texas, September 21, 1931.  
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 7, "An Act declaring it to be mandatory upon the Legislature of the State of Texas under the Constitution to enact laws to compel conservation, preservation and development of the soil and its fertility and to preserve the public interest, general welfare and happiness of the people; declaring soil and its fertility a natural resource; declaring certain public policies of the State in respect to the conservation, preservation and development of the soil; providing that for the purpose of preserving and conserving the soil; to prevent

waste and erosion thereof and to more effectively prevent the spread of root rot and other diseases of plants and soil and to more effectively destroy insects and to aid in preventing insect damage and to preserve the interest of the public, the general welfare, peace and happiness of the people, and in order to carry out the public policies set out in said act, it is made unlawful for any person, association of persons, firm, corporation, or joint stock company, being the owner, lessee or occupant of any separately owned tract of land in this State or the agent of the owner, to plant, cultivate or harvest on said separately owned tract of land during the year 1932, any crop of cotton or other soil-exhausting plants, excepting feed crops for man and domestic animals, or either, in excess of thirty (30) per cent of the area of such tract of land which was in cultivation in planted crops during the year 1931, and in the same manner and to the same effect and for the same purpose, making it unlawful to plant such crops in 1933 in excess of thirty (30) per cent of the area of such tract of land, which was in cultivation in planted crops during the year 1932; defining cultivated lands and affixing penalties for a violation of this act; defining separately owned tracts; prohibiting the planting, cultivation or harvesting of cotton and other soil-exhausting plants, excepting feed crops for man and domestic animals, or either, from being planted, cultivated and harvested on the same land two years in succession, making it unlawful to plant said products in 1933 on the same land upon which said crops were planted in 1932 and thereafter making it unlawful to plant said crop on the same land two years in succession; affixing penalties for a violation of this act; providing for injunctions in order to prevent a violation of this act and to enforce the purposes and intents hereof; prescribing the procedure in respect thereto, giving the district courts jurisdiction thereof; defining

the duties of the several county and district attorneys in respect thereto and further prescribing the duties of the Attorney General in the event any county or district attorney fails or refuses to act; prescribing the duties of inspectors of the State Department of Agriculture, the county judge of the several counties in Texas and the Commissioner of Agriculture of the State of Texas, including State-owned or operated farms, within the terms of this act and exempting experimental farms maintained by State or governmental agencies and all areas of land cultivated by or under the direction of State or governmental agencies for experimental purposes or for developing or improving varieties of cotton or other farm plants from the provisions of this act; requiring owners and agents to give information as to the number of acres in cultivation and the number of acres planted in crops during the year 1931 and each year thereafter; imposing certain duties upon the county assessor of taxes in addition to the requirements contained in Article 7204, Revised Civil Statutes of 1925, giving to the assessor of taxes authority to administer oaths, and affixing penalties for his failure or neglect to perform the duties herein required and making Chapter 278, Acts of the Regular Session of the Forty-second Legislature, relating to the Commissioner of Agriculture, gathering, compiling and disseminating statistical information as relate to farm areas, crop acreage, natural resources and the products thereof applicable hereto, insofar as the same are not inconsistent with any provision of this act; repealing all laws or parts of laws in conflict herewith and providing if this act or any part thereof be held invalid, it shall not affect the remaining portions; and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

In Memory  
of the  
Hon. Leonard Tillotson

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Mr. Engelhard offered the following resolution:

Whereas, On Monday, the 31st of August, 1931, in the city of Wallis, the Hon. Leonard Tillotson, in his sixty-eighth year, passed to his great reward; and

Whereas, The said Leonard Tillotson had a long and distinguished career in the public service of Texas.

In 1910 he was elected to fill an unexpired term in the State Legislature and served during two Special Sessions of the Thirty-second Legislature. He was repeatedly re-elected and served in the Thirty-third, Thirty-fourth and Thirty-sixth Sessions, representing the Floterial District composed of Austin, Waller, Fort Bend, Colorado, Fayette, Lee and Burleson counties. In 1926 he returned to the Legislature, representing the Twenty-fifth District, composed of Austin and Colorado counties, serving in the Fortieth and Forty-first Legislatures. At the end of this service he retired to become secretary of the Brazos River Navigation District.

Mr. Tillotson was long recognized as a profound student of government and as an advocate of new and progressive policies.

He was the author of the constitutional amendment providing for the conservation of natural resources, under which many reclamation and irrigation laws have been passed, and under which the recent oil and cotton bills are based. In 1929 he introduced a bill creating the entire Brazos River watershed as a reclamation district, the greatest large scale project in the State of Texas. Now, therefore, be it

Resolved by the House of Representatives, That we extend our sincere sympathy to his family; and be it further

Resolved, That a page in the Journal be set aside for the record of this resolution, and that the Chief Clerk of the House be directed to send an enrolled copy of this resolution to the family of the deceased; and be it further

Resolved, That when the House adjourns today it be in honor of his memory.

ENGELHARD,  
GILES,  
ROUNTREE,  
MOFFETT,  
FUCHS,  
METCALFE,  
GOODMAN,  
CARPENTER,  
VAN ZANDT.

The resolution was read second time.

On motion of Mr. Forbes, the names of all the members of the House were added to the resolution as signers thereof.

Signed—Minor, Speaker; Adams of Harris, Adams of Jasper, Adamson, Adkins, Akin, Alsop, Albritton, Anderson, Baker, Barron, Beck, Bedford, Bond, Bounds, Boyd, Bradley, Brice, Brooks, Bryant, Burns of Walker, Burns of McCulloch, Caven, Claunch, Coltrin, Coombes, Cox of Lamar, Cox of Limestone, Cunningham, Dale, Daniel, Davis, DeWolfe, Dodd, Donnell, Dowell, Dunlap, Duvall, Dwyer, Elliott, Farmer, Farrar, Ferguson, Finn, Fisher, Forbes, Ford, Gilbert, Graves, Greathouse, Grogan, Hatchitt, Hanson, Hardy, Harman, Harrison of El Paso, Harrison of Waller, Hefley, Herzik, Hill, Hines, Holder, Holland, Holloway, Hoskins, Howsley, Hubbard, Hughes, Jackson, Jones of Shelby, Jones of Atascosa, Johnson of Dallam, Johnson of Dimmit, Johnson of Morris, Justiss, Kayton, Keller, Kennedy, Laird, Lasseter, Lee, Lemens, Leonard, Lilley, Lockhart, Long, McCombs, McDougald, McGill, McGregor, Magee, Martin, Mathis, Mehl, Moore, Morse, Munson, Murphy, Nicholson, Olsen, O'Quinn, Patterson, Petsch, Pope, Ramsey, Ratliff, Ray, Reader, Richardson, Rogers, Sanders, Satterwhite, Savage, Scott, Shelton, Sherrill, Smith of Bastrop, Smith of Wood, Sparkman, Stephens, Stevenson, Steward, Strong, Sullivan, Tarwater, Terrell of Cherokee, Terrell of Val Verde, Towery, Turner, Vaughan, Veatch, Wagstaff, Walker, Warwick, Weinert, West of Coryell, West of Cameron, Westbrook, Wiggs, Wyatt, Young.

The resolution was then adopted by a rising vote.

In Memory  
of the  
Hon. J. W. Adamson

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Mr. Gilbert offered the following resolution:

Whereas, Our beloved and highly esteemed colleague, Professor J. W. Adamson of Denison, who has served honorably and efficiently in this body and who has by force of his fine character and devotion to duty endeared himself to his colleagues in a most binding and affectionate manner; and

Whereas, He has been suddenly called from the deliberations of this body by the death of his brother, Mr. J. Q. Adamson, on Sunday morning, September 20th; and

Whereas, Sadness and sorrow now hovers over Professor Adamson and his family; therefore, be it

Resolved by the House of Representatives, That we extend to our beloved colleague our heartfelt sympathy and respect in this sad hour; and be it further

Resolved, That a suitable wreath of flowers be sent to the home of the deceased at Sherman, Texas, and a copy of this resolution be forwarded to Professor Adamson at his home in Denison, Texas.

GILBERT,  
FISHER,  
TOWERY,  
BRYANT,  
LOCKHART,  
SULLIVANT,

DALE,  
WEST of Coryell,  
HANSON,  
RICHARDSON,  
METCALFE,  
VAN ZANDT.

The resolution was read second time.

On motion of Mr. Carpenter, the names of all the members of the House were added to the resolution as signers thereof.

Signed—Minor, Speaker; Adams of Harris, Adams of Jasper, Adkins, Akin, Alsup, Albritton, Anderson, Baker, Barron, Beck, Bedford, Bond, Bounds, Boyd, Bradley, Brice, Brooks, Burns of Walker, Burns of McCulloch, Carpenter, Caven, Claunch, Coltrin, Coombes, Cox of Lamar, Cox of Limestone, Cunningham, Daniel, Davis, DeWolfe, Dodd, Donnell, Dowell, Dunlap, Duvall, Dwyer, Elliott, Engelhard, Farmer, Farrar, Ferguson, Finn, Forbes, Ford, Fuchs, Giles, Goodman, Graves, Greathouse, Grogan, Hardy, Harman, Harrison of El Paso, Harrison of Waller, Hatchitt, Hefley, Herzik, Hill, Hines, Holder, Holland, Holloway, Hoskins, Howsley, Hubbard, Hughes, Jackson, Jones of Shelby, Jones of Atascosa, Johnson of Dallam, Johnson of Dimmit, Johnson of Morris, Justiss, Kayton, Keller, Kennedy, Laird, Lasseter, Lee, Lemens, Leonard, Lilley, Long, McCombs, McDougald, McGill, McGregor, Magee, Martin, Mathis, Mehl, Moffett, Moore, Morse, Munson, Murphy, Nicholson, Olsen, O'Quinn, Patterson, Petsch, Pope, Ramsey, Ratliff, Ray, Reader, Rogers, Rountree, Sanders, Satterwhite, Savage, Scott, Shelton, Sherrill, Smith of Bastrop, Smith of Wood, Sparkman, Stephens, Stevenson, Steward, Strong, Tarwater, Terrell of Cherokee, Terrell of Val Verde, Turner, Vaughan, Veatch, Wagstaff, Walker, Warwick, Weinert, West of Cameron, Westbrook, Wiggs, Wyatt, Young.

The resolution was then adopted by a rising vote.